

*BS*

KC FILED

FEB 19 2008  
*Feb 19, 2008*  
 MICHAEL W. DOBBINS  
 CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF ILLINOIS  
 EASTERN DIVISION

CENTRAL LABORERS' PENSION FUND, <i>et al.</i>	)	
	)	
Plaintiffs,	)	
v.	)	07 C 6144
	)	
MIKE FASULA CONCRETE CONSTRUCTION, INC.,	)	Hon. Suzanne B. Conlon
an Illinois corporation, and	)	
MICHAEL J. FASULA, individually	)	
	)	
Defendants.	)	
and	)	
ILLINOIS DEPARTMENT OF TRANSPORTATION,	)	
Garnishee Defendant.	)	

AFFIDAVIT FOR GARNISHMENT (NON-WAGE)

Richard A. Toth on oath states:

1. Judgment was entered on January 16, 2007, for judgment creditor(s) CENTRAL LABORERS' PENSION FUND, et al. and against judgment debtor(s): MIKE FASULA CONCRETE CONSTRUCTION, INC. for \$54,305.66 and costs.

\$ 0.00 has been paid on the judgment.

3. There is unpaid on the judgment:

\$ 54,305.66 principal  
 \$ 0.00 costs  
 \$ 0.00 interest  
 \$ 54,305.66 TOTAL

4. I believe garnishee ILLINOIS DEPARTMENT OF TRANSPORTATION is indebted to the judgment debtor, other than wages, or has in his or her possession, custody or control property belonging to him or her in which he/she has an interest. (Reference: Subcontractor Number 13262.)

5. I request summons issue directed to garnishee.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED ON: February 19, 2008.

*Richard A. Toth*  
 \_\_\_\_\_  
 Richard A. Toth

NAME: DALEY AND GEORGE, LTD.  
 ATTORNEY FOR: Plaintiffs  
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 CITY: Chicago, Illinois 60603  
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CENTRAL LABORERS' PENSION FUND, *et al.* )  
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an Illinois corporation, and )  
MICHAEL J. FASULA, individually )  
Defendants. )  
and )  
ILLINOIS DEPARTMENT OF TRANSPORTATION, )  
Garnishee Defendant. )

**INTERROGATORIES TO GARNISHEE**

1. When you were served with summons, did you have in your possession, custody or control any property belonging to the judgment debtor in which he or she had an interest?

ANSWER: \_\_\_\_\_  
(Yes or No)

2 If your answer is yes, describe the property:

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3 When you were served with the summons, were you otherwise indebted to him or her, no matter when payable?

ANSWER: \_\_\_\_\_  
(Yes or No)

4 If your answer is yes, state:

Description: \_\_\_\_\_  
Amount: \$ \_\_\_\_\_  
Date Due: \_\_\_\_\_

**AFFIDAVIT**

\_\_\_\_\_  
on oath states that the answers to the interrogators are true.

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.**

**EXECUTED ON: \_\_\_\_\_, 20\_\_\_\_\_**